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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/566,334

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Anand Chellappa

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01/06/2011

Luce, Forward, Hamilton & Scripps LLP  
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EXAMINER

PADGETT, MARIANNE L

ART UNIT

PAPER NUMBER

1715

MAIL DATE

DELIVERY MODE

01/06/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/566,334

Examiner

MARIANNE L. PADGETT

Applicant(s)

CHELLAPPA ET AL.

Art Unit

1715

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 31 December 2010 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Marianne L. Padgett/  
Primary Examiner, Art Unit 1715

## Continuation of 1(c) Other:

None of the paragraph numbers of the amendment match those of like paragraphs in the original specification. Specifically, in the amendment [0060], [0066] & [0067] appear to correspond to [0062], [0073] & [0074], respectively, in the actual specification. If applicants used the PG publication for determining their paragraph numbers, to do so is totally incorrect, since paragraph numbers in that publication do not necessarily correspond to those of the original specification, so their use is not acceptable.

## Continuation of 4(e) Other:

The proposed after final claims have several different compliance issues:

(1) amendments have been made without proper underlining to indicate additions to claim language, such as in claim 1, line 2 "porous metallic" has been added before "substrate" & in lines 10-11 "and subjecting said coating to thermal processing;" plus an analogous amendment was made in independent claim 29's last line; and the dependence was informally changed from 13 to claim 1 in claims 15 & 47;

(2) claims 15 & 47 have the additional issue that the informally amended claims have the status identifier indicating they are "(Original)" that is incorrect, with it noted that the amendment was probably intended, not accidental, as claim 13 is being canceled;

(3) single character deletions should employ double brackets, such as in claim 10, line 1 [[6]] or claim 29, line 4 [[a]].

This should not be taken as necessarily a complete listing of problems, thus further proofreading is recommended.